

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

JOSEPH SIMS	§	
	§	
V.	§	CIVIL NO. 2:09CV368(TJW)
	§	
L-3 COMMUNICATIONS CORP., ET AL.	§	

DOCKET CONTROL ORDER

In accordance with the case scheduling conference held herein on the 31st day of March, 2010, hereby

ORDERED that the following schedule of deadlines is in effect until further order of this court:

Monday, October 25, 2010	Pretrial conference and Bench Trial - 9:00 a.m. in Marshall, Texas
October 11, 2010	Joint Pretrial Order, Proposed Findings of Fact and Conclusions of Law from Plaintiff and Defendant
October 1, 2010	Pretrial Disclosures due
October 15, 2010	Pretrial Objections due
September 13, 2010	Response to Dispositive Motions (including <i>Daubert</i> Motions). ¹

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The parties are directed to Local Rule CV-7(d), which provides in part that “[i]n the event a party fails to oppose a motion in the manner prescribed herein the court will assume that the party has no opposition.” Local Rule CV-7(e) provides that a party opposing a motion has **12 days, in addition to any added time permitted under Fed. R. Civ. P. 6(e)**, in which to serve and file a response and any supporting documents, after which the court will consider the submitted motion for decision.

Responses to dispositive motions filed prior to the dispositive motion deadline, including *Daubert* Motions, shall be due in accordance with Local Rule CV-7(e). Motions for Summary Judgment shall comply with Local Rule CV56.

August 30, 2010	For Filing Dispositive Motions and any other motions that may require a hearing; including <i>Daubert</i> motions.
July 5, 2010	Discovery Deadline
August 30, 2010	Defendant to Identify Trial Witnesses
August 16, 2010	Plaintiff to Identify Trial Witnesses
August 2, 2010	Defendant to Answer Amended Pleadings
July 19, 2010	Amend Pleadings (It is not necessary to file a Motion for Leave to Amend before the deadline to amend pleadings. It is necessary to file a Motion for Leave to Amend after July 19, 2010).
July 19, 2010	Mediation to be completed
June 22, 2010	Defendant to Designate Expert Witnesses Expert witness report due Refer to Local Rules for required information.
June 15, 2010	Plaintiff to Designate Expert Witnesses Expert witness report due Refer to Local Rules for required information.

June 1, 2010

Privilege Logs to be exchanged by parties
(or a letter to the Court stating that there are no disputes as to claims
of privileged documents).

April 30, 2010

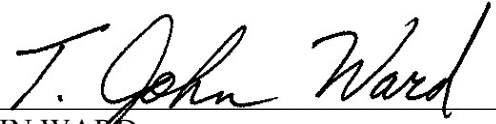
Join Additional Parties

IT IS FURTHER ORDERED that the parties shall submit the name, address, telephone number and fax number of an agreed mediator to the Court within thirty (30) days from the date of the Scheduling Conference. If the parties are unable to agree, the Court will appoint a mediator in the above referenced case.

OTHER LIMITATIONS

1. All depositions to be read into evidence as part of the parties' case-in-chief shall be **EDITED** so as to exclude all unnecessary, repetitious, and irrelevant testimony; **ONLY** those portions which are relevant to the issues in controversy shall be read into evidence.
2. The Court will refuse to entertain any motion to compel discovery filed after the date of this Order unless the movant advises the Court within the body of the motion that counsel for the parties have first conferred in a good faith attempt to resolve the matter. See Eastern District of Texas Local Rule CV-7(h).
3. The following excuses will not warrant a continuance nor justify a failure to comply with the discovery deadline:
 - (a) The fact that there are motions for summary judgment or motions to dismiss pending;
 - (b) The fact that one or more of the attorneys is set for trial in another court on the same day, unless the other setting was made prior to the date of this order or was made as a special provision for the parties in the other case;
 - (c) The failure to complete discovery prior to trial, unless the parties can demonstrate that it was impossible to complete discovery despite their good faith effort to do so.

SIGNED this 5th day of April, 2010.

A handwritten signature in black ink, reading "T. John Ward". The signature is written in a cursive style with a large, stylized "T" and "W".

T. JOHN WARD
UNITED STATES DISTRICT JUDGE